

CLOSED,RULE5

**U.S. District Court
U.S. District of Minnesota (DMN)
CRIMINAL DOCKET FOR CASE #: 0:20-mj-00734-DTS-1
*Internal Use Only***

Case title: USA v. De Los Rios

Date Filed: 10/07/2020

Date Terminated: 10/07/2020

Assigned to: Magistrate Judge
David T. Schultz

Defendant (1)

Adrian Ruben De Los Rios
TERMINATED: 10/07/2020

represented by **Katherian D Roe**
Office of the Federal Defender
300 S 4th St Ste 107
Mpls, MN 55415
612-664-5858
Fax: 612-664-5850
Email: katherian_roe@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

18:231

Disposition

Plaintiff

USA

represented by **Joseph Scott Teirab**
 DOJ–USAO
 300 S 4th Street
 Ste 600
 Minneapolis, MN 55415
 612–664–5636
 Email: joseph.teirab@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Page	Docket Text
10/07/2020			Arrest (Rule 5) of Adrian Ruben De Los Rios. (SAE) (Entered: 10/07/2020)
10/07/2020	<u>1</u>		Minute Entry for proceedings held before Magistrate Judge David T. Schultz: Initial Appearance in Rule 5(c) (3) Proceedings as to Adrian Ruben De Los Rios held on 10/7/2020. Charges from the District of Oregon. Counsel to be appointed. Bond set in the amount of Personal Recognizance with conditions, see Order Setting Conditions of Release. Defendant waived right to removal hearing. Removal Order to be Issued. Deft removed to charging district and is ordered to appear on 10/21/2020 at 01:30 p.m. via video conference/teleconference before the Duty Magistrate Judge in the District of Oregon, Portland. Government moves to unseal the Complaint and Indictment. Granted. Defendant consents to this hearing via video conference. (SAE) (Entered: 10/07/2020)
10/07/2020	<u>2</u>		ORDER Setting Conditions of Release as to Adrian Ruben De Los Rios. Signed by Magistrate Judge David T. Schultz on 10/7/2020. (SAE) (Entered: 10/07/2020)
10/07/2020	<u>3</u>		Personal Recognizance Bond Entered as to Adrian Ruben De Los Rios. Signed by Magistrate Judge David T. Schultz on 10/7/2020. (SAE) (Entered: 10/07/2020)
10/07/2020	<u>4</u>		ORDER OF REMOVAL to District of Oregon as to Adrian Ruben De Los Rios. Signed by Magistrate Judge David T. Schultz on 10/7/2020. (SAE) (Entered: 10/07/2020)
10/07/2020	<u>5</u>		NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for Adrian Ruben De Los Rios. (Mohring, Andrew) (Entered: 10/07/2020)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

INITIAL APPEARANCE - REMOVAL

United States of America,	)	COURT MINUTES - CRIMINAL
	)	BEFORE: DAVID T. SCHULTZ
Plaintiff,	)	U.S. MAGISTRATE JUDGE
v.)	
	)	Case No: 20-mj-734 DTS
Adrian Ruben De Los Rios,	)	Date: October 7, 2020
	)	Video Conference
Defendant.	)	Time Commenced: 2:33 p.m.
	)	Time Concluded: 2:53 p.m.
	)	Time in Court: 20 minutes
)	

APPEARANCES:

Plaintiff: Joseph Teirab, Assistant U.S. Attorney
Defendant: Andrew Mohring,
☒ FPD ☒ To be appointed

☒ Advised of Rights

on ☒ Indictment

☒ Date charges or violation filed: 9/24/2020
☒ Current Offense: Civil Disorder
☒ **Charges from other District:** District of Oregon
☒ Title and Code of underlying offense from other District: 18:231(a)(3)
☒ Case no: 3:20-cr-00448

Bond set in the amount of Personal Recognizance with conditions, see Order Setting Conditions of Release.

☒ Defendant waived right to removal hearing
☒ Removal Order to be Issued
☒ Deft removed to charging district and is ordered to appear on October 21, 2020 at 1:30 p.m. via video conference/teleconference before the Duty Magistrate Judge in the District of Oregon, Portland. Call-in instructions to be obtained from the Federal Defender's Office in the District of Oregon.

☒ Government moves to unseal the Complaint and Indictment. ☒ Granted.

Additional Information:

☒ Defendant consents to this hearing via video conference.

s/ ACH
Signature of Courtroom Deputy

UNITED STATES DISTRICT COURT
for the
District of Minnesota

United States of America,

v.

Adrian Ruben De Los Rios
Defendant

Case No. 0864 0:20-00734M-001

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state, or local law while on release.
 - (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.¹
 - (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
 - (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the Court may impose. The defendant must appear at _____ on _____.
- If blank, defendant will be notified of next appearance.
- (5) The defendant must sign an appearance bond, if ordered.

¹ The Director of the FBI is required by law to promptly expunge from the index described in 42 USC Section 14132(a), the analysis of the DNA sample collected from this Defendant upon receipt by the Attorney General of a certified copy of a final court order establishing: 1) that no indictment was returned, or 2) that the charges giving rise to this Order Setting Conditions of Release were dismissed, or 3) that Defendant was acquitted of the charges giving rise to this Order setting Conditions of Release. In the event any of the foregoing occur, Defendant or his or her Attorney should submit a proposed Order to the Court specifying which of the foregoing events occurred, and sufficient information regarding his or her identity and the charges giving rise to this Order Setting Conditions of Release to enable the FBI to match the Order to the DNA sample to be expunged. To accomplish the expungement, once the Order is entered, the Defendant or his or her Attorney must send a certified copy of the Order to:

Federal Bureau of Investigation
Laboratory Division
2501 Investigation Parkway
Quantico, VA 22135
Attn: Federal Convicted Offender Program Manager

ADDITIONAL CONDITIONS OF RELEASE

- ☐ (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary, and observe the rules and regulations of that facility.
- ☒ (k) not possess a firearm, destructive device, or other weapon.
- ☒ (l) not use alcohol ☒ at all ☐ excessively.
- ☒ (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- ☒ (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
- ☒ (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
- ☒ (p) participate in one of the following location restriction programs and comply with its requirements as directed.
- ☒ (i) **Curfew.** You are restricted to your residence every day
☐ from _____ to _____ or
☒ as directed by the pretrial services officer, or
- ☐ (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
- ☐ (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lockdown at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

ADDITIONAL CONDITIONS OF RELEASE

- ☒ (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
 - ☐ you must pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.
- ☒ (r) report as soon as possible, to the pretrial services office or supervising officer every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- ☒ (s) participate in a mental health evaluation to determine whether mental health treatment is necessary.
- ☒ (t) reside at an address as approved by the supervising officer.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

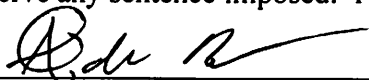
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

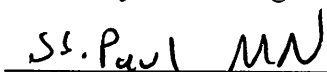
- (1) An offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) An offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) Any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) A misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.


 Defendant's Signature


 City and State

Directions to the United States Marshal

- ☒ The defendant is ORDERED released after processing.
- ☐ The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.
- ☐ The United States Marshal is ORDERED to keep the defendant in custody until notified by the U.S. Probation and Pretrial Services Office that a halfway house bed is available. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 10/7/2020s/David T. Schultz*Judicial Officer's Signature*U.S. Magistrate Judge David T. Schultz*Printed Name and Title*

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICES U.S. ATTORNEY U.S. MARSHAL

UNITED STATES DISTRICT COURT
for the
District of Minnesota

United States of America,

v.

Adrian Ruben De Los Rios
Defendant

Case No. 0864 0:20-00734M-001

APPEARANCE BOND

Defendant's Agreement

I, Adrian Ruben De Los Rios (defendant), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- ☒ to appear for court proceedings;
- ☒ if convicted, to surrender to serve a sentence that the court may impose; or
- ☐ to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- ☒ (1) This is a personal recognizance bond.
- ☐ (2) This is an unsecured bond of \$ _____.
- ☐ (3) This is a secured bond of \$ _____, secured by:

☐ (a) \$ _____, in cash deposited with the court.

☐ (b) the agreement of the defendant and each surety to forfeit the following cash or other property (*describe the cash or other property, including claims on it—such as a lien, mortgage, or loan—and attach proof of ownership and value*):

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

☐ (c) A bail bond with a solvent surety (*attach a copy of the bail bond, or describe it and identify the surety*):

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant—and each surety—declare under penalty of perjury that:

- (1) All owners of the property securing this appearance bond are included on the bond;
- (2) The property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant—and each surety—have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant—and each surety—declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 10/7/2020


Defendant's signature

Surety/property owner—printed name

Surety/property owner—signature and date

Surety/property owner—printed name

Surety/property owner—signature and date

Surety/property owner—printed name

Surety/property owner—signature and date

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Date: 10/7/2020

s/David T. Schultz
Judge's signature

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 20-mj-734 DTS

Plaintiff,

v.

ORDER OF REMOVAL

Adrian Ruben De Los Rios,

Defendant.

The above captioned case was before the undersigned United States Magistrate Judge on October 7, 2020. Defendant waived his right to the removal hearing.

Based on defendant's waiver, the court finds that the defendant is the same person named in the warrant filed in the District of Oregon and he is ordered removed to that district for further proceedings.

Dated: October 7, 2020

s/David T. Schultz
David T. Schultz
U.S. Magistrate Judge

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,	)	Case No. 20MJ734 DTS
)	
Plaintiff,)	
v.	)	NOTICE OF APPEARANCE
)	
ADRIAN RUBEN DE LOS RIOS,)	
)	
Defendant.)	

Pursuant to the Court's order appointing counsel, the undersigned attorney hereby notifies the Court and counsel that Andrew H. Mohring shall appear as appointed counsel of record for the above named defendant in this case.

Dated: October 7, 2020

s/Andrew H. Mohring
ANDREW H. MOHRING
Attorney ID No. 190731
Attorney for Defendant
Office of the Federal Defender
107 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415